



The Punjab Legislative Assembly (Offices) Act, 1939

Act 7 of 1939

Keyword(s):

Assembly, Assembly Building, Speaker

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**THE PUNJAB LEGISLATIVE ASSEMBLY
(OFFICES) ACT, 1939**

PUNJAB ACT No. 7 OF 1939

[Received the assent of His Excellency the Governor-General on the 4th June, 1939, and was first published in the Punjab Gazette, Extraordinary, on the 14th June, 1939.]

1	2	3	4
Year	No.	Short title	Whether repealed or otherwise affected by legislation
1939	7	The Punjab Legislative Assembly (Offices) Act, 1939	Adaptation of Laws Order, 1950 Extended to Pepsu Territory and amended by Punjab Act 33 of 1957 ² .

An Act to provide for the appointment of a Serjeant-at-Arms to attend on the Speaker of the Punjab Legislative Assembly, for the appointment of deputies and sub-ordinates and for other matters.

WHEREAS it is expedient that more definite provision than at present exists should be made for the enforcement of the orders of the Speaker of the Punjab Legislative Assembly in matters relating to the conduct of business and the maintenance of order ;

Preamble

It is hereby enacted as follows :—

1. This Act may be called the Punjab Legislative Assembly (Offices) Act, 1939.

Short title.

¹For Statement of Objects and Reasons, see *Punjab Government Gazette* (Extraordinary), 1939, page 6, for the Select Committee's report, see *ibid*, 1939, Part IV, pages 1—6; and for Proceedings in Assembly, see *Punjab Legislative Assembly Debates*, 1939, Volume VII, pages 811—59, Volume VIII, page 47, Volume IX, pages 175—85, 218—56, 283—303, 308—23, 447—82, 527—62, 576—616 and 642—78.

²For Statement of Objects and Reasons, see *Punjab Government Gazette* (Extraordinary), 1957, page 1638.

Definitions.

2. In this Act—

- (i) "Assembly" means the Punjab Legislative Assembly,
- (ii) "Assembly building" means the Assembly Chamber, the lobbies and all other portions of the Assembly building, and includes its precincts, and
- (iii) "Speaker" includes a person acting as such under ¹[Articles 178 and 180 of the Constitution of India] or under the rules of procedure of the Assembly except for the purposes of sections 7 and 9.

Appointment of Serjeant-at-Arms and deputies.

3. The Governor or such person as he may direct may appoint a Serjeant-at-Arms and one or more deputy serjeant-at-arms.

Power of the Speaker to order removal or exclusion of persons.

4. The Speaker shall have the power to direct the Serjeant-at-Arms or any of his deputies to remove or exclude from the Assembly building or any part thereof any person who in the opinion of the Speaker infringes the rules of procedure of the Assembly or otherwise behaves in a disorderly manner :

Provided that this power shall not be exercised against a member of the Assembly unless he has first been directed by the Speaker to withdraw.

Duties of the Serjeant-at-Arms, and his deputies.

5. The duties of the Serjeant-at-Arms and his deputies, if any, shall be to attend on the Speaker, to keep the doors of the Assembly building and to execute the orders given by the Speaker under section 4, for which purposes they may enlist to their aid such servants of the ²[Government] or of the Assembly as they may consider necessary.

Appointment of officers and messengers, etc. as assistants of Serjeant-at-Arms and conditions of their service.

6. The Governor or such person as he may direct may appoint such officers, messengers and other persons as may be required to assist the Serjeant-at-Arms in the proper execution of his duties.

Bar to civil or criminal proceedings.

7. Except with the sanction of the Speaker, no court shall entertain any proceedings, either civil or criminal,

¹Substituted for the words "section 65 of the Government of India Acts 1935" by Punjab Act 33 of 1957, Schedule.

²Substituted for the word "Crown" by the Adaptation of Laws Order, 1950.

which may be instituted against the Serjeant-at-Arms or any of his deputies in respect of any act done or purporting to be done by them in the execution of their duty or against any person in respect of the carrying out of orders given to him by the Serjeant-at-Arms or any of his deputies within the scope of their authority.

8. The Serjeant-at-Arms and his deputies, and any person appointed under section 6 or enlisted in aid under section 5, shall be deemed to be public servants for the purposes of the Indian Penal Code.

Persons who are to be deemed public servants within the meaning of the Indian Penal Code.

9. The Speaker may frame rules for the purposes of carrying out the provisions of this Act.

Power to make rules.